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USCG-2003-16688-3

1. Agency/Subagency originating request Dept. of Homeland Security/US Coast Guard		2. OMB control number a. <u>1 6 2 5 - 0 0 7 7</u> b. <input type="checkbox"/> None	
3. Type of information collection (check one) a. <input type="checkbox"/> New collection b. <input checked="" type="checkbox"/> Revision of a currently approved collection c. <input type="checkbox"/> Extension of a currently approved collection d. <input type="checkbox"/> Reinstatement, without change, of a previously approved collection for which approval has expired e. <input type="checkbox"/> Reinstatement, with change, of a previously approved collection for which approval has expired f. <input type="checkbox"/> Existing collection in use without an OMB control number For b-f, note item A2 of Supporting Statement instructions		4. Type of review requested (check one) a. <input type="checkbox"/> Regular submission b. <input checked="" type="checkbox"/> Emergency - Approval requested by: <u>02 /25 /04</u> c. <input type="checkbox"/> Delegated 5. Small entities. Will this information collection have a significant economic impact on a substantial number of small entities? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
		6. Requested expiration date a. <input type="checkbox"/> Three years from approval date b. <input checked="" type="checkbox"/> Other Specify: <u>08 /04</u>	
7. Title Security Plans for Ports, Vessels, Facilities, Outer Continental Shelf Facilities and Other Security-Related Requirements			
8. Agency form number(s) (if applicable) CG-6025, CG-6025A			
9. Keywords Assessment, Facility, Plan, Port, Security, Outer Continental Shelf, Vessel			
10. Abstract This information collection is associated with the maritime security requirements mandated by the Maritime Transportation Security Act (MTSA) of 2002. Security assessments, security plans and other security-related requirements are found in Title 33 CFR Subchapter H, and 33 CFR Parts 120 and 128.			
11. Affected public (Mark primary with "P" and all others that apply with "X") a. <input type="checkbox"/> Individuals or households d. <input type="checkbox"/> Farms b. <u>P</u> Business or other for-profit e. <input type="checkbox"/> Federal Government c. <input type="checkbox"/> Not-for-profit institutions f. <input checked="" type="checkbox"/> State, Local or Tribal Gov't		12. Obligation to respond (Mark primary with "P" and all others that apply with "X") a. <input type="checkbox"/> Voluntary b. <input type="checkbox"/> Required to obtain or retain benefits c. <input checked="" type="checkbox"/> Mandatory	
13. Annual reporting and recordkeeping hour burden a. Number of respondents <u>16,907</u> b. Total annual responses <u>90,381</u> 1. Percentage of these responses collected electronically <u>25</u> % c. Total annual hours requested <u>1,883,457</u> d. Current OMB inventory <u>1,873,458</u> e. Difference <u>+ 9,999</u> f. Explanation of difference 1. Program change <u>+ 9,999</u> 2. Adjustment		14. Annual reporting and recordkeeping cost burden (in thousands of dollars) a. Total annualized capital/startup costs _____ b. Total annual costs (O&M) _____ c. Total annualized cost requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____	
15. Purpose of information collection (Mark primary with "P" and all others that apply with "X") a. <input type="checkbox"/> Application for benefits e. <input type="checkbox"/> Program planning or management b. <input type="checkbox"/> Program evaluation f. <input type="checkbox"/> Research c. <input type="checkbox"/> General purpose statistics d. <input type="checkbox"/> Audit g. <u>P</u> Regulatory or compliance		16. Frequency of recordkeeping or reporting (check all that apply) a. <input checked="" type="checkbox"/> Recordkeeping b. <input type="checkbox"/> Third party disclosure c. <input checked="" type="checkbox"/> Reporting 1. <input checked="" type="checkbox"/> On occasion 2. <input type="checkbox"/> Weekly 3. <input type="checkbox"/> Monthly 4. <input type="checkbox"/> Quarterly 5. <input type="checkbox"/> Semi-annually 6. <input type="checkbox"/> Annually 7. <input type="checkbox"/> Biennially 8. <input type="checkbox"/> Other (describe) _____	
17. Statistical methods Does this information collection employ statistical methods? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		18. Agency contact (person who can best answer questions regarding the content of this submission) Name: <u>Mr. David Du Pont</u> Phone: <u>(202) 267-0971</u>	

**Supporting Statement
for
Security Plans for Ports, Vessels, Facilities, and Outer Continental Shelf Facilities
and Other Security-Related Requirements
(as modified by Temporary Final Rule – USCG-2003-16688)**

A. Justification

1. Explain the circumstances that make collection of information necessary.

Post 9/11 Security Regulations: In the aftermath of the terror attacks of September 11, 2001, the Commandant of the Coast Guard, now a part of the new Department of Homeland Security, reaffirmed the Coast Guard's Maritime Homeland Security mission and its lead role – in coordination with the Department of Defense; Federal, State and local agencies; owners and operators of vessels and maritime facilities; and others with interests in our nation's maritime transportation system – to detect, deter, disrupt, and respond to attacks against U.S. territory, population, vessels, facilities, and critical maritime infrastructure by terrorist organizations.

Public Law 107-295, the Maritime Transportation Security Act of 2002 (MTSA), was signed into law on November 25, 2002, and requires the Secretary to issue an interim final rule as soon as practicable. The Coast Guard also considered and advanced U.S. proposals for maritime security at the Maritime Safety Committee's (MSC) 76th session and subsequent discussions internationally. Thus the Coast Guard considered both the SOLAS amendments and the International Ship & Port Facility Security Code (ISPS Code), as adopted by the International Maritime Organization's Diplomatic Conference in December 2002, as well as the MTSA stipulations, in developing regulations for maritime security

The Coast Guard is therefore requiring security assessments and plans, as well as communication procedures, for U.S. ports, facilities, vessels and maritime areas. These Security Assessments, Security Plans, and Declarations of Security require collections of information that are vital to securing the safety of maritime areas. These requirements will help determine and design appropriate security measures for the affected population. It can also help determine, in the case of a Transportation Security Incident (TSI), whether failure to meet these regulations contributed to the TSI. The applicable regulations can be found in new sections 33 CFR Parts 101, 103, 104, 105 & 106.

A. Implementation of National Maritime Security Initiatives (33 CFR 101) [USCG-2003-14792]
This section establishes the general regulations for Subchapter H, and contains the provisions that pertain to all parts described below. The collections of information within this section are summarized under this section, but are considered in the applicable part. The CFR cites with the collections of information are as follows:

- Alternative Security Programs – 101.120 (addressed in each part, in overall analysis)
- Reporting Security Incidents – 101.305 (addressed in each part)
- Declarations of Security (DoS) – 101.505 (addressed under Facility Security requirements)

B. Port Security or Area Maritime Security (AMS) (33 CFR 103) [USCG-2003-14733]
These regulations establish US Coast Guard Captains of the Port as Federal Maritime Security Coordinators, and establish requirements for Area Maritime Security Committees. The CFR cites with collections of information are as follows:

- AMS Assessment – 103.400 (a), (c); 103.405
- AMS Plan – 103.500 (a); 103.505
- Submission of AMS Plan for review & approval – 103.510
- Administrative Drills and Management Exercises – 103.515

C. Vessel Security (33 CFR 104) [USCG-2003-14749]

These regulations provide security measures for certain vessels calling on U.S. ports. They require the owner or operator of a vessel to designate security officers for the vessel, develop security plans based on security assessments and surveys, implement security measures specific to the vessel's operation, and indicate Maritime Security (MARSEC) Levels. The CFR cites with collections of information are as follows:

- Designate the Company Security Officer (CSO) in writing – 104.210 (a) (1)
- Vessel Security Assessment (VSA) – 104.300 (a) and 104.305 (b), (d); 104.310
- Vessel Security Plan (VSP) – 104.400; 104.405; 104.415
- Submission of the VSA Report with the VSP – 104.310 (a)
- Amendment & Audit of VSP – 104.410 (a) (1) & (b)
- Vessel Recordkeeping – 104.235 (a), (b); 104.260 (b)
- Posting for MARSEC Level emergencies – 104.265 (e) (2)
- Security measures for restricted areas – 104.270 (b) (7)
- Requirements for U.S. flag vessels going on international voyages, requiring an International Ship Security Certificate (ISSC) – 104.297 (c).

D. Facility Security (33 CFR 105) [USCG-2003-14732]

These regulations require port facilities to designate Facility Security Officers and develop security plans for certain facilities. The CFR cites with collections of information are as follows:

- Designate the Facility Security Officer (FSO) in writing – 105.200 (b) (3)
- Conduct, write and submit Facility Security Assessment (FSA) with completed form CG-6025/CG-6025A (Facility Vulnerability and Security Measures Assessment) – 105.200(b)(4); 105.300; 105.305; 105.310; 105.400
- Development and submission of Facility Security Plan (FSP) – 105.200 (b) (5); 105.205 (c) (17); 105.400; 105.410; 105.415
- Facility recordkeeping requirements – 105.225; 105.250 (b)
- DoS – 101.505; 105.245
- Amendment & audit – 105.420
- Posting for MARSEC Level emergencies – 105.205 (c) (14); 105.255 (e) (2)
- Marking for additional security measures – 105.260 (b) (7); 105.295 (a) (3)

E. Outer Continental Shelf Facility Security (33 CFR 106) [USCG-2003-14759]

These regulations provide security measures for mobile offshore drilling units (MODUs) not subject to the International Convention for the Safety of Life at Sea (SOLAS) and certain fixed and floating facilities on the Outer Continental Shelf (OCS) other than deepwater ports. The CFR cites with collections of information are as follows:

- Designate the CSO and FSO in writing – 106.200
- Conduct, write and submit FSA – 106.200 (b) (3); 106.210 (c) (8) (12); 106.300; 106.305 (d); 106.310
- Development and submission of FSP, and with changes, for review and approval – 106.400; 106.405; 106.410
- OCS Facility recordkeeping requirements (including MARSEC Level changes) – 106.230
- DoS – 106.250
- Amendment and audit – 106.415
- Security measures for restricted areas – 106.265 (b) (6)

Pre 9/11 Existing Security Regulations: In 1985, a U.S. citizen was killed during the seizure of the vessel, ACHILLE LAURO. Since then, the vulnerability of passenger vessels and associated passenger terminals to acts of terrorism became a significant concern for the international community. To address the threat, the President signed into law the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (Pub.

L. 99-399; 100 Stat. 889). Title IX of this law constitutes the International Maritime and Port Security Act (33 USC 1226). This act amended the Ports and Waterways Safety Act (33 USC 1221). This Act provided the Coast Guard authority to "carry out or require measures, including inspections, port and harbor patrols, the establishment of security and safety zones, and the development of contingency plans and procedures, to prevent or respond to acts of terrorism." This law also required a proposed plan of action for implementing security measures at U.S. ports and passenger vessels operating from those ports.

Also in 1986, the IMO published MSC/Circ. 443 "Measures to Prevent Unlawful Acts Against Passengers and Crews On Board Ships." That publication was the basis for much of the U.S. legislation and rulemaking that followed. In April 1987, the Coast Guard published a notice in the *Federal Register* (52 FR 11587) that listed voluntary security measures based upon the IMO's publication. However, the Coast Guard observed varying degrees of implementation of these voluntary measures aboard passenger ships and at passenger terminals. This inconsistency, coupled with the rising specter of domestic terrorism, indicated that the establishment of minimum mandatory security requirements was necessary. Consequently, the Coast Guard published an interim rule on July 18, 1996 (61 FR 37648), and a final rule on October 6, 1998 (63 FR 53587). Regulations governing the Security of Passenger Vessels are in 33 CFR 120 and regulations on the Security of Passenger Terminals are in 33 CFR 128.

This information collection supports the following strategic goals:

Coast Guard

- Safety
- Maritime Security
- Protection of Natural Resources
- Mobility
- National Defense

Marine Safety, Security and Environmental Protection Directorate (G-M)

- Safety: Eliminate deaths, injuries, and property damage associated with commercial maritime operations.
- Security: Eliminate marine transportation and coastal security vulnerability.
- Human and Natural Environment: Eliminate environmental damage associated with maritime transportation and operations on and around the nation's waterways.
- Economic Growth and Trade/Mobility: Reduce interruptions and impediments that restrict the economical movement of goods and people, while maximizing safe, effective, and efficient waterways for all users.

2. By whom, how, and for what purpose the information is to be used.

Post 9/11 Security Regulations: The Coast Guard requires Security Assessments, Security Plans and Declarations of Security from the affected population of U.S. ports and maritime areas. This rule will affect owners, operators, and personnel operating in the U.S. Maritime Transportation System. The respondents are regulated public and private stakeholders as specified in parts 101, 103, 104, 105 and 106.

The primary need for information would be to determine if stakeholders are in compliance with security standards. The required collection of information is also important for stakeholders for determining and designing appropriate security measures for their own safety and for the safety of their assets. The information can also help determine, in the case of TSI, whether failure to meet these regulations contributed to the TSI.

Pre 9/11 Existing Security Regulations: Operators or operators' representatives of both passenger vessels and passenger terminals affected by this rule must submit a Security Plan. Amendments and Reports of Unlawful Acts must be submitted when necessary.

Each operator of a passenger vessel subject to the rule must submit two copies of the Vessel Security Plan (required by 33 CFR 120.300) to the Marine Safety Center in Washington DC, at least 60 days before embarking passengers on a voyage described in 33 CFR 120.100. Each operator of a passenger terminal

subject to the rule must submit two copies of the Terminal Security Plan required by 33 CFR 128.300 to the local Captain of the Port (COTP) at least 60 days before transferring passengers to or from a vessel subject to 33 CFR 120.

The operator of a vessel or the vessel security officer shall report each breach of security, unlawful act, or threat of an unlawful act against the vessel or persons aboard it that occurs in a place subject to the jurisdiction of the United States, both to the COTP and to the local office of the Federal Bureau of Investigation (FBI). Also, the operator of each U.S.-flag vessel shall report each such incident that occurs in a place outside the jurisdiction of the United States, and file a written report of the incident, using the form "Report on an Unlawful Act" contained in IMO/MSC Circular 443, and forward it to U.S. Coast Guard Headquarters.

3. Consideration of the use of improved information technology.

We believe that most security plans, assessments, amendments and audits, and related material, can be reported and recorded electronically. DoSS, MARSEC Level postings, markings, as well as the drills, meetings and exercises necessary for port security, are not as easily done electronically. Therefore, we estimate that 60% of the reporting and recordkeeping requirements can be done electronically. Once the regulations have been in place for some time, we will be able to better estimate what percentage is reported and recorded electronically. We estimate that initially, 25% of the reporting and recordkeeping requirements will be done in electronic format.

4. Efforts to identify duplication. Why similar information cannot be used.

While existing security regulations for passenger vessels and terminals will remain effective for now, the Coast Guard plans to reevaluate them once the Interim Final Rule with the post 9/11 security regulations are in place. Thus there should be no duplication. Furthermore, the Coast Guard monitors state and local regulatory activity in this field. To date, no other equivalent state or local programs have been identified that require similar information.

5. Methods to minimize the burden to small businesses if involved.

Under the Regulatory Flexibility Act (5 USC 601 et seq.), the Coast Guard must consider whether this rule will have a significant economic impact on a substantial number of small entities. Small entities include small businesses, not-for-profit organizations that are independently owned and operated and not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

Post 9/11 Security Regulations: Although these regulations are exempt from the small business analysis, the Coast Guard reviewed it for potential economic impact on small entities. There is a significant economic impact on some small entities. An Initial Regulatory Flexibility Analysis discusses in detail the impact of this rule on small entities, and is available in the analysis for each of the following sections under their respective docket numbers:

- National Maritime Security initiative – [USCG-2003-14792]
- Port Security – [USCG-2003-14733]
- Vessel Security – [USCG-2003-14749]
- Facility Security – [USCG-2003-14732]
- OCS Facility Security – [USCG-2003-14759]

Pre 9/11 Existing Security Regulations: The small entities affected by this rule are small businesses classified by the U.S. Standard Industrial Classification as "Water Transportation of Passengers, N.E.C." with SIC Code 4489. The burdens are primarily the time and cost it takes to perform security planning and surveys. As the security requirements for small vessels and terminals will be less complex, it will result in hours and costs to small entities that are less than the average hour burden and cost to larger entities.

6. Consequences to the Federal program if collection were not done or conducted less frequently.

Post 9/11 Security Regulations: The frequency of response varies as specified in each regulation affecting the different areas of maritime security. Security assessments and security plans are submitted for approval initially, and reviewed annually. After the first year, drills generally occur at various schedules. All frequencies are at the discretion of the COTP. Depending on the port or maritime area, there may be additional requirements and reporting frequencies.

Pre 9/11 Existing Security Regulations: A Vessel Security Plan or Terminal Security Plan is submitted only once. Amendments are submitted only when necessary to ensure continued compliance with regulatory standards. If the Plans or Amendments were reported and recorded less frequently, they would not serve their purpose of reducing the likelihood of terrorist incidents or other unlawful acts against passenger vessels and their associated damage to property and injury to persons. However, the Coast Guard learned that some plans were amended more than once on some occasions.

7. Explain any special circumstances that would cause the information collection to be conducted in a manner inconsistent with guidelines.

This information collection is consistent with the guidelines. The regulations make provisions for special circumstances, like a security threat, by describing the different requirements under corresponding maritime security (MARSEC) threat levels ranging from MARSEC Level 1 to MARSEC Level 3.

8. Consultation.

Post 9/11 Security Regulations: Prior to development of the current security regulations, the Coast Guard conducted a public workshop in Washington, D.C., to assess the existing Maritime Transportation System security standards and measures and to gather ideas on possible improvements. Public comments also indicated the need for specific threat identification, analysis of threats, and methods for developing performance standards to plan for response to maritime threats.

Although the MTSA expressly waives the requirements of the Administrative Procedure Act, including notice and comment, the Coast Guard held seven public meetings in locations of high maritime interest to engage the public in discussions about the impact of its maritime security requirements. Comments made during the public meetings and those submitted to the public docket are available in the public docket [USCG-2002-14069] for review at the locations under ADDRESSES. Each section is also available in the following dockets:

- National Security regulations – [USCG-2003-14792]
- Port Security – [USCG-2003-14733]
- Vessel Security – [USCG-2003-14749]
- Facility Security – [USCG-2003-14732]
- OCS Facility Security – [USCG-2003-14759]

In February 2004, the Coast Guard plans to issue a Temporary Final Rule entitled "Notification of Arrival in U.S. Ports; Certain Dangerous Cargoes; Electronic Submissions" [USCG-2003-16688], which changes the definition of certain dangerous cargo to include bulk ammonium nitrate and ammonium nitrate fertilizers that are listed as Division 5.1 materials in 49 CFR 172.101 as well as propylene oxide. This change is necessary to promote maritime safety and security and facilitate the uninterrupted flow of commerce by increasing the Coast Guard's ability to maintain awareness of these cargoes. The Coast Guard did not publish an NPRM, but is soliciting comments from the public on the Temporary Final Rule.

Pre 9/11 Existing Security Regulations: On March 25, 1994, the Coast Guard published a Notice of Proposed Rulemaking (NPRM) entitled "Security for Passenger Vessels and Passenger Terminals" in 59 FR 14290, and on July 18, 1996, published an Interim Rule in 61 FR 37648, which invited comments from the public. On October 6, 1998, the Coast Guard published the Final Rule in 63 FR 53588.

9. Explain any decision to provide payment or gift to respondents.

Neither payments nor gifts are given to respondents.

10. Describe any assurance of confidentiality provided to respondents.

The issue at hand is the security of information contained in port, vessel, facility, and OCS facility security assessments and plans. The ISPS Code, part A, sections 9 and 16, and the MTSA (46 U.S.C. section 70101(d)) require documents related to security, especially security assessments and plans, to be kept in a manner that is protected from unauthorized access or disclosure.

Security-related information has traditionally not been in the public forum since it inherently puts at risk the very system that is being protected. Understanding the imperative need to safeguard maritime security material to ensure its dissemination does not make the vessel, facility, or port vulnerable to a TSI, the Coast Guard has included provisions in these regulations noting that this type of material is to be designated as sensitive security information (SSI) in accordance with 49 CFR part 1520. Information designated as SSI is generally exempt under FOIA, and the Coast Guard believes that State disclosure laws that conflict with 49 CFR part 1520 are preempted by that regulation.

The Coast Guard does not believe that a security designation above SSI was needed for this material. However, we did include provisions in these regulations for a COTP to designate a higher level of security if there are provisions in the AMS Plan that indicate a higher level is appropriate. Access to the AMS Plan will be limited to those on the Area Maritime Security (AMS) Committee that have agreed to protect the material in a manner appropriate to its security sensitivity and have a need to know the material. Guidance on SSI and its use will be issued to assist AMS Committee members, consistent with 49 CFR part 1520. For material that is designated at a level higher than SSI, the COTP will screen AMS Committee members for appropriate clearances and take precautions appropriate to the material's sensitivity. Individuals and Federal agencies outside those with transportation oversight authority will not be allowed to view plans or assessments of vessels and facilities unless circumstances provide a need to view it and the owner or operator specifically allows it to be viewed. As stated in the Vessel Security regulations, certain portions of each vessel security plan and assessment must be made accessible to authorities; however, those portions that are not required to be disclosed are protected with the SSI designation and need-to-know criteria. Owners and operators of vessels and facilities may also request a determination of a higher designation than SSI for their plans. The Commandant or the COTP, whoever is responsible for reviewing the security plan, will retain the designation authority. In all cases, the material, if retained by a Federal agency, must be safeguarded to the appropriate designation.

11. Additional justification for any questions of a sensitive nature.

Justification for questions of a sensitive nature is based on the threat of terror attacks like that of 9/11/01 and the obvious need for more stringent security measures, which are required by these regulations.

12. Estimates of reporting and recordkeeping hour and cost burdens of the collection of information.

Post 9/11 Security Regulations

The collections of information for these security regulations are primarily contained in the AMS/vessel/facility security assessment & plans, and in the Declarations of Security. The resulting burden hours are therefore for planning, developing and writing these security assessments and plans. In calculating the cost of the burden hours, the Coast Guard used a "loaded" labor rate, which means it includes the costs of employee benefits (vacation, health insurance, other overhead costs). We assume each hour of planning and writing costs an average of \$100/hour. While some employees cost more than this and some cost less, we believe \$100/hour is a reasonable average cost of the employees who would conduct this work. In general, in calculating the costs, we estimated the number of hours that would be required initially (document development and submission) and annually (document updates), then multiplied by the hourly cost.

Collections of Information under each Subpart, together with tables, are summarized below.

A. Implementation of National Maritime Security Initiatives (33 CFR 101)

This section establishes the general regulations for Subchapter H, and contains the provisions that pertain to all parts described below. As mentioned previously, the collections of information in this section are addressed in each applicable part, as described below.

B. Port Security or Area Maritime Security (33 CFR 103)

This rule establishes US Coast Guard Captains of the Port as Federal Maritime Security Coordinators, and establishes requirements for Area Maritime Security Committees. The AMS plan is based on planning meetings, administrative drills and management exercises. These meetings, drills and exercises are considered collections of information as they are predominantly information-gathering events. Costs to stakeholders, therefore, are determined by the "loaded" labor rate and total hours each type of labor will be involved in each activity. We assume the rate of \$100/hour for all activities, except for administrative drills, which will be performed by clerical personnel. For clerical personnel, we assume a "loaded" labor rate of \$35/hour.

The frequency with which meetings, management exercises and administrative drills must be conducted is detailed, and so the calculation of the number of responses is somewhat complex. We expect some stakeholders to participate only partially, but our calculation is made with the assumption of 100% participation, and is thus a conservative estimate. To obtain the number of responses, we multiplied the frequency of responses by the number of respondents. The number of respondents is = 9,400 (200 stakeholders * 47 maritime areas). Table 1 below shows the calculation of responses.

Total number of initial respondents = 9,400
Total number of initial responses = 65,800

TABLE 1**AREA MARITIME SECURITY – RESPONSES**

INITIAL (2nd half of 2003)	1	6	0	0	7	65,800
2ND YEAR (2004)	0	12	4	2	18	169,200
ANNUAL (2005-2012)	0	4	4	2	10	94,000

Table 2 below summarizes all calculations for collections of information.

The total number of initial burden hours is 1,203,200 hours, and the number of annual hours is 488,800.

The initial cost of the collection burden is \$120,320,000, and the annual cost is \$46,436,000.

TABLE 2

AREA MARITIME SECURITY – INITIAL & ANNUAL BURDEN HOURS & COST

RESPONDENTS			
– 200 stakeholders in 47 maritime areas			
– Number of Respondents	9,400	9,400	9,400
RESPONSES			
– Initial Number of Responses (2 nd half of 2003)		65,800	65,800
– Number of Responses for the Second Year (2004)		169,200	169,200
– Number of Responses Annually (2005 - 2012)		94,000	94,000
BURDEN (hours)			
– Number of Hours of Initial Burden (2 nd half of 2003)	1,203,200		1,203,200
– Number of Hours of Second Year Burden (2004)	902,400	188,000	1,090,400
– Number of Hours of Annual Burden (2005 – 2012)	300,800	188,000	488,800
COST (\$)			
– Cost of Initial Burden (2 nd half of 2003)	\$120,320,000		\$120,320,000
– Cost of Second Year Burden (2004)	\$90,240,000	\$16,356,000	\$106,596,000
– Cost of Annual Burden (2005 – 2012)	\$30,080,000	\$16,356,000	\$46,436,000

C. Vessel Security (33 CFR 104)

This rule provides security measures for certain vessels calling on U.S. ports. It requires the owner to designate a company security officer, and the owner or operator of a vessel to designate security officers for the vessel. Owners or operators are also required to develop vessel security plans based on security assessments and surveys, and implement security measures specific to the vessel's operation. The administrative drills and exercises required under vessel security regulations are accounted for in the burden-hour calculation for port security above (section B), as ports and vessels conduct these drills and exercises in conjunction with each other. Burden-hours and costs associated with the DoS, for vessels, are accounted for under facility security below (section D), as they are signed by both the facility and the vessel and need to be calculated only once.

For Vessel Security Assessments (VSAs) and Vessel Security Plans (VSPs), we assume each company will prepare the core documents, and there will be an incremental cost for each vessel included in the assessment or plan. The incremental cost added to each plan will be a function of the number and type of vessels, with the number of additional hours by vessel type. We assume each hour of planning costs \$100/hour, the "loaded" labor rate as described earlier. A summary table of burden hours and cost, Table 3, is below. For details of the burden and cost calculations, please see Appendix 1. **The initial burden hours are 135,269, and the annual burden is 11,700. The initial cost is \$13,449,515 and the annual cost is \$1,158,175.**

The respondents are the Company Security Officers (CSOs) and the Vessel Security Officers (VSOs), and total 2,202. We had initially considered that to be the number of responses also, but have revised that assumption, as each core VSA and VSP is modified to meet the different needs of each vessel that a single company may own. Thus, the initial responses have been revised to 10,164, the estimated total number of vessels affected by this rule.

The Coast Guard is changing the definition of Certain Dangerous Cargo (CDC) to include ammonia nitrate and propylene oxide. This is a temporary final rule (USCG-2003-16688) effective until June 2005. The change in CDC to include ammonia nitrate and propylene oxide will increase the population of vessels and the number of companies that have to prepare and submit VSAs and VSPs. There are approximately 9,213 vessels that were not previously covered by the MTSA 2002 regulations. There are 14 companies who own these 9,213 vessels and out of these 14 companies, 2 companies that transport only ammonia nitrate or propylene oxide, were not previously covered by the MTSA 2002 regulations. The other 12 companies will now have additional vessels for which they have to submit VSAs and VSPs. **The additional initial burden is 4,639 hours and the annual burden is 2,303 hours. The initial cost is \$463,850 and the annual cost, which is for the remaining 6 months of this rule, is \$230,325.** There are 2 respondents, and 9,213 responses initially. Please see Table 3 below for the additional burden hours and cost, and for a summary of respondents and responses.

Total number of initial respondents:	2,204 =	[2,202 + 2]
Total number of initial responses:	19,377 =	[10,164 + 9,213]

TABLE 3

VESSEL SECURITY – INITIAL & ANNUAL BURDEN HOURS & COST

RESPONDENTS		
– Company Security Officers & Vessel Security Officers		
– Number of Respondents	2,202	2,202
– New for CDC rule change	2	2
RESPONSES		
– Number of Responses Initially		
	10,164	10,164
– New for CDC rule change	9,213	9,213
– Number of Responses Annually		
	10,164	10,164
– New for CDC rule change	9,213	9,213
BURDEN (hours)		
– Number of Hours of Initial Burden		
	135,234	135,269
– New for CDC rule change	4,639	4,639
– Number of Hours of Annual Burden		
	11,664	11,700
– New for CDC rule change	2,303	2,303
COST (\$)		
– Cost of Initial Burden		
	\$13,448,360	\$13,449,515
– New for CDC rule change	\$463,850	\$463,850
– Cost of Annual Burden		
	\$1,157,020	\$1,158,175
– New for CDC rule change	\$230,325	\$230,325

D. Facility Security (33 CFR 105)

This rule requires Facility Security Officers or another designated person to develop facility security assessments (FSAs) and facility security plans (FSPs) for all port facilities. Planning costs will be incurred initially and annually, with more costs incurred initially as facilities develop security plans. DoS costs will be incurred annually, but not initially and will be applicable to hazardous cargo facilities and passenger terminals. Burden hours and costs associated with the DoS, for vessels, are also accounted for here as they are signed by both the facility and the vessel and need to be calculated only once.

We assume each hour of planning and writing costs an average of \$100/hour, the "loaded" labor rate as described previously. Table 4 below summarizes the collection of information burden hours and cost for facility security. **The initial burden is 528,240 hours, and the annual burden is 608,187 hours. The initial cost is \$52,824,000, and the annual cost is \$60,818,700.**

The respondents are the Facility Security Officers and number 4,965 – which is the total number of facilities. Thus the number of responses initially is also 4,965.

As mentioned previously, the Coast Guard is changing the definition of Certain Dangerous Cargo (CDC) to include ammonia nitrate and propylene oxide. This change will have an affect on 50 facilities that were not previously covered by the MTSA 2002 regulations. These additional facilities need to be in compliance with the MTSA by preparing and submitting FSAs and FSPs. Since this Temporary Final Rule is effective until June 2005, we assume that while all 50 facilities prepare FSAs and FSPs for the initial year (2004), only about half of them, 25, update their FSAs and FSPs for the remaining 6 months of the Rule, until June 2005. Therefore the initial facility population is 50, and the annual one is 25. **The additional initial burden is 5,360 hours and the annual burden is 134 hours. The initial cost is \$536,000 and the annual cost, which is for the remaining 6 months of this rule, is \$13,400.** There are 50 respondents and 50 responses initially. Please see Table 4 below for additional burden hours and cost and a summary of respondents and responses.

Total number of respondents initially:	5,105	=	[4,965 + 50]
Total number of responses initially:	5,105	=	[4,965 + 50]

TABLE 4

FACILITY SECURITY – INITIAL & ANNUAL BURDEN HOURS & COST

FACILITY SECURITY – INITIAL & ANNUAL BURDEN HOURS & COST				
RESPONDENTS				
– The FSO or another designated person				
– Number of Respondents	4,965			4,965
– New for CDC rule change	50			50
RESPONSES				
– Number of Responses Initially				
				4,965
– New for CDC rule change				50
– Number of Responses Annually				
		4,965	2,327,100	2,332,065
– New for CDC rule change		50		50
BURDEN (hours)				
– Number of Hours of Initial Burden				
	264,120	264,120		528,240
– New for CDC rule change	2,680	2,680		5,360
– Number of Hours of Annual Burden				
	13,206	13,206	581,775	608,187
– New for CDC rule change	67	67		134
COST (\$)				
– Cost of Initial Burden				
	\$26,412,000	\$26,412,000		\$52,824,000
– New for CDC rule change	\$268,000	\$268,000		\$536,000
– Cost of Annual Burden				
	\$1,320,600	\$1,320,600	\$58,177,500	\$60,818,700
– New for CDC rule change	\$6,700	\$6,700		\$13,400

E. Outer Continental Shelf Facility Security (33 CFR 106)

This rule provides security measures, including FSAs and FSPs, for mobile offshore drilling units (MODUs) not subject to the International Convention for the Safety of Life at Sea (SOLAS) and certain fixed and floating facilities on the Outer Continental Shelf (OCS) other than deepwater ports. For FSAs and FSPs, we assume the company with the CSO will prepare the core documents.

Companies operating more than one OCS facility with the threshold characteristics listed above will be required to have separate FSOs, FSAs, FSPs, for each OCS facility. For the purposes of our analysis, we assume each owner operates a single facility. Again, we assume each hour of planning and paperwork costs \$100/hour, the "loaded" labor rate. To calculate costs for FSPs and FSAs, we estimated number of hours that would be required initially for plan development and submission (40 hours for each FSA and FSP) and annual plan updates (2 hours for each FSA and FSP), then multiplied by hourly cost. Please see Table 5 below for a summary of all burden hours and cost. **The initial burden is 3,200 hours, and the annual burden is 160 hours. The initial cost is \$320,000, and the annual cost is \$16,000. The applicable OCS facilities are the 40 respondents. The FSAs and FSPs they submit are the responses, which amount to 40.**

TABLE 5

**OUTER CONTINENTAL SHELF (OCS) FACILITY SECURITY –
INITIAL & ANNUAL BURDEN HOURS & COST**

RESPONDENTS			
– OCS facilities that produce 100,000 barrels of oil per day OR 200 mil. cubic feet of natural gas per day OR host more than 150 persons for 12 hours or more during a 24-hour period continuously for 30 days or more.			
– Number of Respondents	40		40
RESPONSES			
– Number of Responses Initially		40	40
– Number of Responses Annually		40	40
BURDEN (hours)			
– Number of Hours of Initial Burden	1,600	1,600	3,200
– Number of Hours of Annual Burden	80	80	160
COST (\$)			
– Cost of Initial Burden	\$160,000	\$160,000	\$320,000
– Cost of Annual Burden	\$8,000	\$8,000	\$16,000

Pre 9/11 Existing Security Regulations

Security Plans: Each passenger vessel and passenger terminal affected by this rule must submit one Security Plan. It is estimated that as of January 2003, 140 passenger vessels and 108 passenger terminals have submitted Security Plans. The Coast Guard estimates it takes 108 hours to draft, edit, and distribute each Security Plan. With 248 respondents, the Coast Guard estimates there are 248 Security Plans with a total hour burden of 26,784 hours ($248 \times 108 = 26,784$). Because this is a one-time event, this burden is amortized over the 25-year period of analysis. Therefore, the average annual burden is 1071 hours ($26,784/25 \text{ years} = 1,071$). We also expect about 5 new plans will be submitted each year. Thus, an additional 540 hours burden will be added a year ($5 \times 108 = 540$) or 13,500 hours over 25 years ($540 \times 25 = 13,500$ hours). Total hours over 25 years will be 40,284 ($26,784 + 13,500 = 40,284$). The total average annual hour burden over 25 years is 1,611 ($1,071 + 540 = 1,611$). There are 248 respondents overall, and 5 responses annually.

Amendments: Again, the Coast Guard expects 50% of the passenger vessels and passenger terminals will submit Amendments each year after submitting a Security Plan the first year. Thus, 124 respondents are expected to submit Amendments each year after the initial year. Each Amendment is expected to take 4 hours of security-personnel time, 4.8 hours of management-personnel time, and 2 hours of clerical-personnel time. Consequently, each Amendment is expected to require an average of 10.8 hours of labor time. With 124 Amendments, the total annual hour burden is 1,339 hours. Over the 25-year period of analysis, the average total annual hour burden of Amendments is 1,285 hours ($[1,339 \times 24]/25$). Five new plans will be submitted each year for a total of 1500 over 24 years; the first five this year will not be amended until next year and the 5 new ones next year will not be amended until the third year and so on. The total annual hour burden for Amendments from new plans is 648 hours ($(1500 \times 10.8)/25$). The total annual hour burden for the expected 124 Amendments each year plus the new Amendments is $1,285 + 648 = 1,933$ hours. There are 124 responses annually.

Reports of Unlawful Acts: Using available information, the Coast Guard estimates that 20 reportable unlawful acts will occur each year. One report must be filed for each act. Preparation of a report requires an average of 0.25 hours (or 15 minutes) for a manager to complete. Consequently, the Coast Guard expects a total annual hour burden of 5 hours (20×0.25). Over the 25-year period of analysis, the total hour burden of Reports of Unlawful Acts is 125 hours (5×25). Here, there are 20 responses annually.

The average total initial and annual hour burden is therefore 3,549 hours. The average initial and annual cost is \$143,487 (please see Appendix 3 for a summary table and details on cost calculations).

The number of respondents annually:	248		
The number of responses annually:	149	=	[5 + 124 + 20]

TABLE 6
SUMMARY – APPLICABLE RESPONDENTS AND RESPONSES

	RESPONDENTS	RESPONSES
AMS (Port Security)	9,400	65,800
Vessel Security '04 Adjustment	2,202	10,164
New for CDC Rule Change	2	9,213
Facility Security	4,965	4,965
New for CDC Rule Change	50	50
OCS Security	40	40
Pre-911	248	149
TOTAL BEFORE CDC RULE CHANGE	16,855	81,118
GRAND TOTAL WITH CDC RULE CHANGE	16,907	90,381

Note: (1) Number of responses adjusted from previous (i.e., 10/17/2003) OMB-approved number of 73,255 to 81,118 responses to better distinguish between VRP respondents and responses.

TABLE 7

SUMMARY – ALL INITIAL & ANNUAL BURDEN HOURS & COST

	BURDEN (hours)		COST (\$)	
	Initial	Annual	Initial	Annual
Port Security (AMS)	1,203,200	488,800	\$120,320,000	\$46,436,000
Vessel Security	135,269	11,700	\$13,449,515	\$1,158,175
New for CDC rule change	4,639	2,303	\$463,850	\$230,325
Facility Security	528,240	608,187	\$52,824,000	\$60,818,700
New for CDC rule change	5,360	134	\$536,000	\$13,400
OCS Facility Security	3,200	160	\$320,000	\$16,000
SUBTOTAL FOR MTSA SECURITY BEFORE CDC RULE CHANGE	1,869,909	1,108,847	\$186,913,515	\$108,572,362
SUBTOTAL FOR PRE 9/11 SECURITY	3,549	3,549	-----	\$143,487
SUBTOTAL FOR CDC RULE CHANGE	9,999	2,437	\$999,850	\$243,725
TOTAL BEFORE CDC RULE CHANGE	1,873,458	1,112,396	\$186,913,515	\$108,572,362
GRAND TOTAL W/ CDC RULE CHANGE	1,883,457	1,114,833	\$187,913,365	\$108,816,087

13. Estimates of annualized capital and start-up costs.

No capital start-up cost associated with the Collection of Information Requirement.

14. Estimates of annualized Federal Government costs.

Federal Government costs have not been estimated as yet, as the regulations are only now being put into place. Time and experience with implementation will give the Coast Guard a much better idea about the magnitude of the costs involved with the implementation of these security regulations.

15. Explain the reasons for the change in burden.

The change in the burden is a PROGRAM CHANGE due to the Temporary Final Rule "Notice of Arrival in U.S. Ports; Certain Dangerous Cargoes; Electronic Submission" [USCG-2003-16688]. The rulemaking modifies the definition of CDC to include bulk ammonium nitrate and ammonium nitrate fertilizers as well as propylene oxide, resulting in an increase in the burden.

16. For collections of information whose results are planned to be published for statistical use, outline plans for tabulation, statistical analysis and publication.

There are no plans to publish information for statistical use.

17. Approval to not display expiration date.

This is not applicable.

18. Explain each exception to the certification statement.

There are no exceptions.

B. Collection of Information Employing Statistical Methods

This section does not apply because the collection does not employ statistical methods.

APPENDIX 1**VESSEL SECURITY**

For Vessel Security Assessments (VSAs) and Vessel Security Plans (VSPs), we assume each company will prepare the core documents, and there will be an incremental cost for each vessel included in the assessment or plan. The incremental cost added to each plan will be a function of the number and type of vessels, with the number of additional hours by vessel type. We assume each hour of planning costs \$100/hour, the "loaded" labor rate as described earlier. Burden hours and costs broken down by companies and vessel type are shown below. Table A-1 is a summary table of all paperwork burden and costs associated with vessel security. Tables A-2 & A-3 show initial and annual burden and cost for companies. Tables A-4 & A-5 show initial and annual burden and cost for U.S. Flagged SOLAS vessels. Tables A-6 & A-7 show annual burden and cost for domestic vessels, and Table A-8 shows burden and cost for foreign-flagged non-SOLAS freight ships.

TABLE A-1**SUMMARY OF INITIAL & ANNUAL BURDEN & COST**

	INITIAL BURDEN HOURS	INITIAL COST (\$)	ANNUAL BURDEN HOURS	ANNUAL COST (\$)
ALL COMPANIES	97,456	\$9,670,560	6,582	\$648,820
ALL U. S. FLAGGED SOLAS VESSELS	9,694	\$969,400	302	\$30,150
ALL DOMESTIC VESSELS	28,084	\$2,808,400	4,781	\$478,050
FOREIGN- FLAGGED NON- SOLAS FREIGHT SHIPS	35	\$1,155	35	\$1,155
NEW FOR CDC RULE CHANGE	4,639	\$463,850	2,303	\$230,325
TOTAL BEFORE CDC RULE CHANGE	135,269	\$13,449,515	11,700	\$1,158,175
TOTAL W/ NEW CDC RULE CHANGE	139,908	\$13,913,365	14,003	\$1,388,500

TABLE A-2**INITIAL BURDEN & COST FOR COMPANIES**

Company	Company Population	Hour Burden for VSA	Hour Burden for VSP	Hour Burden for VSA & VSP	Total Hour Burden	Cost (\$)
Large non-towing and U.S. flagged SOLAS	159	80	80	160	25,440	\$2,544,000
Large towing	10	16	16	32	320	\$32,000
Small non-towing	612	40	40	80	48,960	\$4,896,000
Small towing	1,351	8	8	16	21,616	\$2,161,600
Foreign-flagged non-SOLAS freight ships	70	8	8	16	1,120	\$36,960
TOTAL COMPANY						\$9,670,560

TABLE A-3**ANNUAL BURDEN & COST FOR COMPANIES**

Company	Hour Burden for VSA	Hour Burden for VSP	Hour Burden for VSA and VSP	Total Hour Burden	Cost (\$)
Large non-towing and U.S. flagged SOLAS	4	4	8	1,272	\$127,200
Large towing	1	1	2	20	\$2,000
Small non-towing	2	2	4	2,448	\$244,800
Small towing	1	1	2	2,702	\$270,200
Foreign-flagged non-SOLAS freight ships	1	1	2	140	\$4,620
TOTAL COMPANY				6,582	\$648,820

TABLE A-4**INITIAL BURDEN & COST FOR U.S. FLAGGED SOLAS VESSELS**

U.S. FLAGGED SOLAS VESSELS	Vessel Population	Hour Burden for VSA	Hour Burden for VSP	Hour Burden for VSA & VSP	Total Hour Burden	Cost (\$)
SOLAS freight ship	241	16	4	20	4,820	\$482,000
SOLAS freight barge	2	4	0	4	9	\$850
SOLAS tank ship	114	16	4	20	2,280	\$228,000
SOLAS tank barge	14	4	0	4	60	\$5,950
SOLAS towboat	14	8	2	10	140	\$14,000
SOLAS fish processor	1	8	2	10	10	\$1,000
SOLAS passenger vessel-cruise	2	24	4	28	56	\$5,600
SOLAS passenger vessel	109	8	2	10	1,090	\$109,000
SOLAS MODU	2	16	4	20	40	\$4,000
SOLAS OSV	75	8	4	12	900	\$90,000
SOLAS oil recovery	1	8	2	10	10	\$1,000
SOLAS research	8	8	2	10	80	\$8,000
SOLAS industrial	20	8	2	10	200	\$20,000
TOTAL SOLAS					9,634	\$963,400

TABLE A-5**ANNUAL BURDEN & COST FOR U.S. FLAGGED SOLAS VESSELS**

U.S. FLAGGED SOLAS VESSELS	Hour Burden for VSA & VSP	Total Hour Burden	Cost (\$)
SOLAS freight ship	1	121	\$12,050
SOLAS freight barge	1	1	\$100
SOLAS tank ship	1	57	\$5,700
SOLAS tank barge	1	7	\$700
SOLAS towboat	1	7	\$700
SOLAS fish processor	1	1	\$50
SOLAS passenger vessel-cruise	1	1	\$100
SOLAS passenger vessel	1	55	\$5,450
SOLAS MODU	1	1	\$100
SOLAS OSV	1	38	\$3,750
SOLAS oil recovery	1	1	\$50
SOLAS research	1	4	\$400
SOLAS industrial	1	10	\$1,000
TOTAL SOLAS		302	\$30,150

TABLE A-6**INITIAL BURDEN & COST FOR DOMESTIC VESSELS**

DOMESTIC VESSELS	Vessel Population	Hour Burden for VSA	Hour Burden for VSP	Hour Burden for VSA & VSP	Total Hour Burden	Cost (\$)
FREIGHT SHIP	99	8	4	12	1,188	\$118,800
TANK SHIP	34	8	4	12	408	\$40,800
TANK BARGE	2,891	0	0	1	1,446	\$144,550
TOWBOAT	4,645	0	0	1	2,323	\$232,250
PASSENGER VESSEL, NOT FERRY (<100GT)	223	8	4	12	2,676	\$267,600
FERRY > 500 PASS	43	8	4	12	516	\$51,600
FERRY < 500 PASS	435	8	4	12	5,220	\$522,000
CRUISE VESSEL (>100GT)	2	16	4	20	40	\$4,000
PASSENGER VESSEL, NOT FERRY	67	8	4	12	804	\$80,400
FERRY > 500 PASS	49	8	4	12	588	\$58,800
FERRY < 500	92	8	4	12	1,104	\$110,400
OSV	981	8	4	12	11,772	\$1,177,200
TOTAL DOMESTIC					28,084	\$2,808,400

TABLE A-7**ANNUAL BURDEN & COST FOR DOMESTIC VESSELS**

DOMESTIC VESSELS	Hour Burden for VSA & VSP	Total Hour Burden	Cost (\$)
FREIGHT SHIP	1	50	\$4,950
TANK SHIP	1	17	\$1,700
TANK BARGE	1	1,446	\$144,550
TOWBOAT	1	2,323	\$232,250
PASSENGER VESSEL, NOT FERRY (<100GT)	1	112	\$11,150
FERRY > 500 PASS	1	22	\$2,150
FERRY < 500 PASS	1	218	\$21,750
CRUISE VESSEL (>100GT)	1	1	\$100
PASSENGER VESSEL, NOT FERRY	1	34	\$3,350
FERRY > 500 PASS	1	25	\$2,450
FERRY < 500	1	46	\$4,600
OSV	1	491	\$49,050
TOTAL DOMESTIC		4,781	\$478,050

TABLE A-8**INITIAL & ANNUAL BURDEN & COST FOR FOREIGN-FLAGGED NON-SOLAS
FREIGHT SHIPS**

Foreign- flagged non- SOLAS freight ships	Vessel Population	Hour Burden for VSA	Hour Burden for VSP	Hour Burden for VSA & VSP	Total Hour Burden	Cost (\$)
INITIAL	70	17.5	17.5	35	35	\$1,155
ANNUAL	70	17.5	17.5	35	35	\$1,155

APPENDIX 2:**FACILITY SECURITY**

In calculating the collection of information costs for facility security, we assume each hour of planning and writing costs an average of \$100/hour, the "loaded" labor rate as described previously. For drafting an FSA, we assume that each group A facility will spend 80 hours on the initial year and 4 hours annually. For the FSP and FSA, we assume that each group A facility will spend 80 hours on each in the initial year and 4 hours annually. For the FSP and FSA, we assume that each group B facility will spend 40 hours on each in the initial year and 2 hours annually. Finally, we assume that DoSs will take 15 minutes (0.25 of an hour) to be completed by the FSO and the VSO. Tables below summarize all burden and cost calculations – a summary (Table B-1), initial & annual for FSAs & FSPs (Tables B-2, B-3), and annual for DoSs (Table B-4).

TABLE B-1**SUMMARY: TOTAL INITIAL & ANNUAL BURDEN HOURS & COST**

Description	Total Burden (Hours)	Cost (\$)
Initial Total for FSAs and FSPs	528,240	\$52,824,000
New for CDC rule change	5,360	\$536,000
Annual Total for FSPs, FSAs	26,412	\$2,641,200
New for CDC rule change	134	\$13,400
Annual Total for DoS ¹	581,775	\$58,177,500

¹ There is no initial burden associated with DoS, only a recurring annual burden.

TABLE B-2

FACILITY SECURITY FSAs & FSPs		INITIAL BURDEN & COST				
Description	Facility Population	Burden for FSA (Hours)	Burden for FSP (Hours)	Burden for FSA & FSP (Hours)	Total Burden (Hours)	Cost (\$)
Facility type A	1,638	80	80	160	262,080	\$26,208,000
New for CDC rule change	17	80	80	160	2,720	\$272,000
Facility type B	3,327	40	40	80	266,160	\$26,616,000
New for CDC rule change	33	40	40	80	2,640	\$264,000
INITIAL TOTAL for FSAs & FSPs BEFORE CDC RULE CHANGE	4,965	264,120	264,120		528,240	\$52,824,000
TOTAL FOR CDC RULE CHANGE	50	2,680	2,680		5,360	\$536,000
GRAND TOTAL W/ NEW CDC RULE CHANGE	5,015	266,800	266,800		533,600	\$53,360,000

TABLE B-3

FACILITY SECURITY FSAs & FSPs		ANNUAL BURDEN & COST					
Description	Facility Population	Burden for FSA (Hours)	Burden for FSP (Hours)	Total Burden for FSA (Hours)	Total Burden for FSP (Hours)	Burden for FSA & FSP (Hours)	Cost (\$)
Facility type A							
	1,638	4	4	6,552	6,552	13,104	\$1,310,400
New for CDC rule change	9	4	4	34	34	68	\$6,800
Facility type B							
	3,327	2	2	6,654	6,654	13,308	\$1,330,800
New for CDC rule change	16	2	2	33	33	66	\$6,600
ANNUAL TOTAL for FSAs & FSPs BEFORE CDC RULE CHANGE	4,965			13,206	13,206	26,412	\$2,641,200
ANNUAL TOTAL FOR CDC RULE CHANGE	25			67	67	134	\$13,400
ANNUAL TOTAL W/ NEW CDC RULE CHANGE	4,990			13,273	13,273	26,546	\$2,654,600

TABLE B-4**FACILITY SECURITY
Declarations of Security
(DoS)****ANNUAL BURDEN & COST**

Description	Facility Population	Number of DoS	Total Burden (Hours)	Cost (\$)
Hazardous bulk liquid facilities, group A	897	900	201,825	\$20,182,500
Hazardous bulk liquid facilities, group B	1,821	600	273,150	\$27,315,000
Hazardous substance (other) facilities, group A	186	900	41,850	\$4,185,000
Hazardous substance (other) facilities, group B	379	600	56,850	\$5,685,000
Passenger terminals, group A	36	300	2,700	\$270,000
Passenger terminals, group B	72	300	5,400	\$540,000
Total				

APPENDIX 3

PRE-9/11 EXISTING SECURITY REGULATIONS

Cost Calculation

Security Plans:

Each passenger vessel and passenger terminal affected by this rule must submit one Security Plan. It is estimated that as of January 2003, 140 passenger vessels and 108 passenger terminals have submitted Security Plans. The Coast Guard estimates it takes 108 hours to draft, edit, and distribute each Security Plan. With 248 respondents, the Coast Guard estimates there are 248 Security Plans with a total hour burden of 26,784 hours ($248 \times 108 = 26,784$). Because this is a one-time event, this burden is amortized over the 25-year period of analysis. Therefore, the average annual burden is 1071 hours ($26,784/25 \text{ years} = 1,071$). We also expect about 5 new plans will be submitted each year. Thus, an additional 540 hours burden will be added a year ($5 \times 108 = 540$) or 13,500 hours over 25 years ($540 \times 25 = 13,500$ hours). Total hours over 25 years will be 40,284 ($26,784 + 13,500 = 40,284$). The total average annual hour burden over 25 years is 1,611 ($1,071 + 540 = 1,611$).

Most of the information required for creating a Security Plan is available in existing records or is otherwise available to a vessel operator or terminal operator. However, a security survey of a passenger vessel or passenger terminal should be conducted in order to draft a Security Plan. A security survey, on average, requires 40 hours of research by security personnel. Furthermore, it is estimated that it takes, on average, an additional 48 hours of management personnel (example, security officer) to review the security survey and use it to draft the Security Plan. An additional 20 hours of clerical time is expected to type and distribute the Security Plan. The total hour burden per respondent to develop, draft and submit a Security Plan is estimated to be 108 hours ($40 + 48 + 20$).

The average hourly wage of security personnel is estimated to be \$22/hour, which is comparable to the non-government wage of enlisted personnel, E-1 (*Hourly Standard Rates for Personnel*, Commandant Instruction 73101.1F). Because a security survey is expected to take an average of 40 hours of research by security personnel, the Coast Guard expects a security survey to have an average cost of \$880.

The average hourly wage of management personnel is estimated to be \$63/hour, which is the average of the hourly wages for non-government equivalents of commanders/captains and lieutenants/lieutenant commanders (Commandant Instruction 73101.1F). Because it is expected to take an average of 48 hours to draft a basic Security Plan, the basic draft is expected to cost an average of \$3,024.

The average hourly wage of clerical staff is estimated to be \$23/hour, which is comparable to the non-government wage of government workers GS-1 through GS-4 or E-1 through E-5 (Commandant Instruction 73101.1F). Because it is expected to take an average of 20 hours of clerical-staff time to type and distribute the Security Plan, the typed and submitted Plan is expected to cost an average of \$460.

The average total cost to draft, revise, type and distribute a Security Plan is estimated to be \$4,364 ($\$880 + \$3,024 + \460). With 248 Security Plans, the total cost of the Security Plan requirement is \$1,627,772 ($\$4,364 \times 248 = \$1,082,272$) + \$545,500 = ($\$21,820 \times 25$), ($\$4,364 \times 5 = \$21,820$ for the 5 new plans a year). Because a Security Plan is a one-time event, plus the addition of 5 new plans a year, the total cost is amortized over the 25-year period of analysis. Consequently, the average annual cost is \$65,111 ($\$1,082,272/25 = \$43,291$) + \$21,820 = \$65,111. Total cost for all plans over 25 years is \$1,627,772.

Amendments:

Again, the Coast Guard expects 50% of the passenger vessels and passenger terminals will submit Amendments each year after submitting a Security Plan the first year. Thus, 124 respondents are expected to submit Amendments each year after the initial year. Each Amendment is expected to take 4 hours of security-personnel time, 4.8 hours of management-personnel time, and 2 hours of clerical-personnel time. Consequently, each Amendment is expected to require an average of 10.8 hours of labor time. With 124 Amendments, the total annual hour burden is 1339 hours. Over the 25-year period of analysis, the average

total annual hour burden of Amendments is 1,285 hours ($[1,339 \times 24]/25$). Five new plans will be submitted each year for a total of 1500 over 24 years; the first five this year will not be amended until next year and the 5 new ones next year will not be amended until the third year and so on. The total annual hour burden for Amendments from new plans is 648 hours ($[1500 \times 10.8]/25$). The total annual hour burden for the expected 124 Amendments each year plus the new Amendments is $1,285 + 648 = 1,933$ hours.

Each Amendment is expected to cost \$88 in security-personnel labor ($4 \times \$22$), \$302 in management-personnel labor ($4.8 \times \$63$), and \$46 in clerical-personnel labor ($2 \times \$23$). The Coast Guard expects an Amendment will cost an average of \$436 ($\$88 + \$302 + \46). With an expected 124 Amendments per year, the total annual cost of Amendments is estimated to be \$54,064. For Amendments from newly submitted plans each year, the total annual cost is \$26,160 ($[\$436 \times 1,500]/25$). Over the 25-year period of analysis, the average total annual cost of Amendments is \$51,901 ($[\$54,064 \times 24]/25$) + \$26,160 = \$78,061. Total cost over 25 years for expected 124 Amendments and 5 new ones a year is $\$1,297,525 (\$51,901 \times 25) + \$654,000 (\$26,160 \times 25) = \$1,951,525$.

Reports of Unlawful Acts:

Using available information, the Coast Guard estimates that 20 reportable unlawful acts will occur each year. One report must be filed for each act. Preparation of a report requires an average of 0.25 hours (or 15 minutes) for a manager to complete. Consequently, the Coast Guard expects a total annual hour burden of 5 hours (20×0.25). Over the 25-year period of analysis, the total hour burden of Reports of Unlawful Acts is 125 hours (5×25). At an hourly wage rate of \$63, the total annual cost of these reports is \$315 ($\63×5). Over the 25-year period of analysis, the total cost of these reports is \$7,875 ($\315×25).

The average total annual hour burden for these regulations is 3,549 hours. The average total annual cost is \$143,487.

Table C-1: Hour Burden and Cost Burden

Year	Security Plans Hours/Cost	Hours for New Plans/Cost	Amendments Hours/Cost	Hours for new Amendments/ Cost	Reports of Unlawful Acts Hours/Cost	Total Hours/ Total Cost
1	1071 hrs/\$43,291	540 hrs/\$21,820	1285 hrs/\$51,901	648 hrs/\$26,160	5 hrs/\$315	3,549 hrs/\$143,487
2	1071 hrs/\$43,291	540 hrs/\$21,820	1285 hrs/\$51,901	648 hrs/\$26,160	5 hrs/\$315	3,549 hrs/\$143,487
3	1071 hrs/\$43,291	540 hrs/\$21,820	1285 hrs/\$51,901	648 hrs/\$26,160	5 hrs/\$315	3,549 hrs/\$143,487
4	1071 hrs/\$43,291	540 hrs/\$21,820	1285 hrs/\$51,901	648 hrs/\$26,160	5 hrs/\$315	3,549 hrs/\$143,487
5	1071 hrs/\$43,291	540 hrs/\$21,820	1285 hrs/\$51,901	648 hrs/\$26,160	5 hrs/\$315	3,549 hrs/\$143,487
6	1071 hrs/\$43,291	540 hrs/\$21,820	1285 hrs/\$51,901	648 hrs/\$26,160	5 hrs/\$315	3,549 hrs/\$143,487
7	1071 hrs/\$43,291	540 hrs/\$21,820	1285 hrs/\$51,901	648 hrs/\$26,160	5 hrs/\$315	3,549 hrs/\$143,487
8	1071 hrs/\$43,291	540 hrs/\$21,820	1285 hrs/\$51,901	648 hrs/\$26,160	5 hrs/\$315	3,549 hrs/\$143,487
9	1071 hrs/\$43,291	540 hrs/\$21,820	1285 hrs/\$51,901	648 hrs/\$26,160	5 hrs/\$315	3,549 hrs/\$143,487
10	1071 hrs/\$43,291	540 hrs/\$21,820	1285 hrs/\$51,901	648 hrs/\$26,160	5 hrs/\$315	3,549 hrs/\$143,487
:	:	:	:	:	:	:
23	1071 hrs/\$43,291	540 hrs/\$21,820	1285 hrs/\$51,901	648 hrs/\$26,160	5 hrs/\$315	3,549 hrs/\$143,487
24	1071 hrs/\$43,291	540 hrs/\$21,820	1285 hrs/\$51,901	648 hrs/\$26,160	5 hrs/\$315	3,549 hrs/\$143,487
25	1071 hrs/\$43,291	540 hrs/\$21,820	1285 hrs/\$51,901	648 hrs/\$26,160	5 hrs/\$315	3,549 hrs/\$143,487
Total	26,784 hours \$1,082,272	13,500 hours \$545,500	32,125 hours \$1,297,525	16,200 hours \$654,000	125 hours \$7,875	88,725 hours \$3,587,175

PAPERWORK REDUCTION ACT SUBMISSION

Please read the instructions before completing this form. For additional forms or assistance in completing this form, contact your agency's Paperwork Clearance Officer. Send two copies of this form, the collection instrument to be reviewed, the Supporting Statement, and any additional documentation to: Office of Information and Regulatory Affairs, Office of Management and Budget, Docket Library, Room 10102, 725 17th Street NW Washington, DC 20503.

1. Agency/Subagency originating request <u>Dept. of Homeland Security/US Coast Guard</u>	2. OMB control number a. <u>1 6 2 5 - 0 1 0 0</u> b. <input type="checkbox"/> None
3. Type of information collection (check one) a. <input type="checkbox"/> New collection b. <input checked="" type="checkbox"/> Revision of a currently approved collection c. <input type="checkbox"/> Extension of a currently approved collection d. <input type="checkbox"/> Reinstatement, without change, of a previously approved collection for which approval has expired e. <input type="checkbox"/> Reinstatement, with change, of a previously approved collection for which approval has expired f. <input type="checkbox"/> Existing collection in use without an OMB control number <i>For b-f, note item A2 of Supporting Statement Instructions</i>	4. Type of review requested (check one) a. <input type="checkbox"/> Regular submission b. <input checked="" type="checkbox"/> Emergency - Approval requested by: <u>02 /25 /04</u> c. <input type="checkbox"/> Delegated 5. Small entities. Will this information collection have a significant economic impact on a substantial number of small entities? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
6. Requested expiration date a. <input type="checkbox"/> Three years from approval date b. <input checked="" type="checkbox"/> Other Specify: <u>08 /04</u>	
7. Title <u>Advance Notice of Vessel Arrival</u>	
8. Agency form number(s) (if applicable) <u>U.S. INS form I-418 (OMB No. 1651-0103)</u>	
9. Keywords <u>Arrival, Departure, Marine safety, Pollution prevention, Security, Vessel, Waiver</u>	
10. Abstract <p>The Ports and waterways Safety Act authorizes the Coast Guard to require pre-arrival messages from any vessel entering a port or place in the United States. This information is required to control vessel traffic, develop contingency plans and enforce regulations. Vessel owners and operators may apply for a waiver of rules.</p>	
11. Affected public (Mark primary with "P" and all others that apply with "X") a. <input type="checkbox"/> Individuals or households d. <input type="checkbox"/> Farms b. <input checked="" type="checkbox"/> Business or other for-profit e. <input type="checkbox"/> Federal Government c. <input type="checkbox"/> Not-for-profit institutions f. <input type="checkbox"/> State, Local or Tribal Gov't	12. Obligation to respond (Mark primary with "P" and all others that apply with "X") a. <input type="checkbox"/> Voluntary b. <input type="checkbox"/> Required to obtain or retain benefits c. <input checked="" type="checkbox"/> Mandatory
13. Annual reporting and recordkeeping hour burden a. Number of respondents <u>10,478</u> b. Total annual responses <u>70,577</u> 1. Percentage of these responses collected electronically <u>30</u> % c. Total annual hours requested <u>175,525</u> d. Current OMB inventory <u>173,904</u> e. Difference <u>+ 1,621</u> f. Explanation of difference 1. Program change <u>+ 1,621</u> 2. Adjustment	14. Annual reporting and recordkeeping cost burden (in thousands of dollars) a. Total annualized capital/startup costs _____ b. Total annual costs (O&M) _____ c. Total annualized cost requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____
15. Purpose of information collection (Mark primary with "P" and all others that apply with "X") a. <input type="checkbox"/> Application for benefits e. <input type="checkbox"/> Program planning or management b. <input type="checkbox"/> Program evaluation f. <input type="checkbox"/> Research c. <input type="checkbox"/> General purpose statistics d. <input type="checkbox"/> Audit g. <input checked="" type="checkbox"/> Regulatory or compliance	16. Frequency of recordkeeping or reporting (check all that apply) a. <input type="checkbox"/> Recordkeeping b. <input type="checkbox"/> Third party disclosure c. <input checked="" type="checkbox"/> Reporting 1. <input checked="" type="checkbox"/> On occasion 2. <input type="checkbox"/> Weekly 3. <input type="checkbox"/> Monthly 4. <input type="checkbox"/> Quarterly 5. <input type="checkbox"/> Semi-annually 6. <input type="checkbox"/> Annually 7. <input type="checkbox"/> Biennially 8. <input type="checkbox"/> Other (describe) _____
17. Statistical methods Does this information collection employ statistical methods? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	18. Agency contact (person who can best answer questions regarding the content of this submission) Name: <u>Mr. David Du Pont</u> Phone: <u>(202) 267-0971</u>

**Supporting Statement
for
Advance Notice of Vessel Arrival
(as modified by Temporary Final Rule—USCG-2003-16688)**

A. Justification.

1. Circumstances that make the collection of information necessary.

The Ports and Waterways Safety Act of 1972, as amended by the Port and Tanker Safety Act of 1978, authorizes the Secretary of the department in which the Coast Guard is operating to require the receipt of pre-arrival message from any vessel destined for a port of place in the United States. This requirement is found in 33 U.S.C. 1223(a)(5) and promulgated in 33 CFR 160 Subpart C.

Senate Report (103-150) on the 1994 appropriation bill for the Department of Transportation and related agencies directed the Coast Guard to implement procedures designed to eliminate substandard ships for U.S. waters. This made it necessary for the advance notice of arrival to be expanded to cover additional vessels. In April 1994, the Coast Guard's Port State Control Program (PSCP) was put in place to pursue the directive's goal. A comprehensive risk-based targeting scheme was developed to establish vessel-boarding priorities. The primary factors in this analysis are the vessel's flag, classification ("class"), society, owner, operator, age, and operating history. The PSCP's success hinges on the service's ability to target and examine those ships that appear to pose the greatest risk to life, property, and the environment. By requiring vessels to provide additional arrival information, Coast Guard field units can target vessels and allocate inspection resources efficiently.

**Table 1.
Requirements Covered by OMB 1625-0100 and Respective CFR Citations**

Requirement.	33 CFR
<ul style="list-style-type: none"> Notice of Arrival: Vessels bound for (or from) ports of places in the United States. Each commercial vessel (US and foreign) greater than 300 gross tons. 	Table 160.206, column 2
<ul style="list-style-type: none"> Notice of Arrival: Vessels carrying certain dangerous cargo. Each commercial vessel (US and foreign) greater than 300 gross tons and carrying certain dangerous cargo, and towing vessels controlling vessels carrying CDC. 	Table 160.206, columns 3 & 4

On September 11, 2001, terrorists attacked the United States. To ensure port safety and security and to ensure the uninterrupted flow of commerce, the Coast Guard amended regulations in 2001-2003 relating to the Notifications of Arrival requirements.

Changes to the requirements included: (1) earlier receipt of the notice of arrival—96 hours vice 24 hours, (2) submission of reports to a central clearinghouse—the National Vessel Movement Center (NVMC), and (3) additional information such as—crew lists, passenger lists, and a general description of cargo.

This information collection supports the following strategic goals.

Coast Guard

- Safety
- Maritime Security
- Protection of the Natural Resources
- Mobility
- National Defense

Marine Safety, Security and Environmental Protection Directorate (G-M)

- Safety: Eliminate deaths, injuries, and property damage associated with commercial maritime operations.
- Security: Eliminate marine transportation and coastal security vulnerability.
- Human and Natural Environment: Eliminate environmental damage associated with maritime transportation and operations on and around the nation's waterways.
- Economic Growth and Trade/Mobility: Reduce interruptions and impediments that restrict the economical movement of goods and people, while maximizing safe, effective, and efficient waterways for all users.

2. Purpose of the information collection.

COTPs use the advance notice of arrival information for vessel traffic control; denying entry to unsafe vessels; targeting vessels for boarding and examination; planning for oil and hazardous substances spills; counter terrorism; and firefighting contingencies; controlling the port entry of vessels which may constitute a threat to the safety or security of U.S. ports.

Vessel traffic control is accomplished by establishing safety or security zones near vessels or waterfront facilities, issuing various types of COTP orders, and escorting vessels. The Coast Guard escorts certain vessels carrying explosives, liquefied gases, and other particularly dangerous cargoes carried in large quantities and establishes moving safety zones around the vessels to keep smaller vessels away while in restricted channels. Safety zones are also maintained around certain vessels during unloading. Without up-to-date arrival information, COTP personnel would not be present during the critical times of the port transit and transfer.

The COTP uses the advance notice of arrival information to deny certain vessels entry into a port. A vessel may be denied entry to a port because of dangerous conditions on the vessel or because they have previously been identified by another COTP as posing a threat to the safety or environment of U.S. ports. Denial of vessel entry is an important enforcement device used by the COTP to encourage unsafe vessels to correct vessel deficiencies.

Upon receiving an advance notice of arrival, Coast Guard personnel examine the vessel's violation and discrepancy history on the Marine Safety Information System (MSIS), and determine whether the vessels should be boarded and examined. Vessels which have a history of safety or pollution violations, have unresolved discrepancies, or have not had recent pollution prevention or safety examinations, are targeted for boarding. Without the advance notice of arrival information, a vessel that poses a threat to port may enter and transfer cargo in spite of existing deficiencies, posing a threat to port safety and the environment.

Arrival information is also used for long-range and short-range contingency planning. Planners and duty officers focus Coast Guard resources on certain areas of the port because of vessels with hazardous conditions, the cargoes transported, the country of registry, the time of arrival, and other reasons. During a marine emergency, such as a grounding or collision, duty officers base their initial response on type of cargo carried, the amounts, and the stowage location. It is critical that this cargo information be available before the emergency occurs because it may be difficult or impossible to obtain during the emergency. This is especially important for bulk chemical and container vessels, which carry many different dangerous cargoes that may interact to intensify an emergency situation.

Since September 11th--in the maritime context--extra time is needed for security checks, and vessels bound for U.S. ports could experience delays in entering port if required arrival information is not received early enough. The information now required on the notification of arrival (NOA) should provide sufficient data for security measures to protect our nation's ports and waterways. Timely receipt of this security information will minimize vessel delays.

The applicant requesting a waiver of the advance notice of arrival requirements is required to submit, with the waiver request, reasons for the waiver and proposed alternative procedures or methods. Without this information, the COTP cannot determine the effects of granting or denying the waiver.

3. Considerations of the use of improved information technology to reduce the burden.

No set means for transmitting arrival information is required. The Coast Guard accepts many different means of reporting the information. Persons subject to this requirement may utilize the means that most efficiently meet their needs, including telephone, facsimile, and e-mail transmissions.

We estimate that 100% of the reporting requirements can be done electronically. At this time, we estimate that approximately 30% of the responses are collected electronically.

4. Efforts to identify duplication. Why similar information cannot be used.

The Coast Guard monitors State and local regulatory activity in this field. To date, no equivalent State and local programs have been identified that require similar information on a national basis.

Information collected for legacy U.S. Immigration and Naturalization Service (INS) form I-418 (under OMB No. 1651-0103 (formerly 1115-0083)) is now submitted to both the Coast Guard and INS. This duplication is required because the Coast Guard needs the information in a more timely fashion than INS.

5. Methods used to minimize the burdens to small businesses, if involved.

Reporting requirements for small entities are generally proportionately less due to the smaller number of vessels they operate and vessel arrivals for those vessels. Small businesses often operate smaller vessels that are less than 300 gross tons, and are therefore exempt from the reporting requirements (except in the Seventh District). The required reports may be in a verbal form and no particular format is specified.

6. Consequences to the Federal program if collection were conducted less frequently.

This information is reported whenever certain vessels arrive in U.S. ports, and whenever vessels carrying certain dangerous cargoes arrive in U.S. ports. If it were reported less frequently, the COTP would not have a timely picture of what vessels or cargoes were entering the port, and in what condition. Without this knowledge, the COTP could not take the actions described in paragraph 2 to protect the port and the environment. If this information were not collected on all foreign vessels in the Seventh District (Florida), the COTPs would be unaware of these vessels arriving in the ports. Experience has shown that in the Seventh District, many foreign vessels under 300 gross tons pose unique threats to marine safety, including hazards such as structural deficiencies, incomplete vessel documentation and deficient marine sanitation devices. These problems have led to pollution of the waterways as well as grounding and sinking of vessels of this size. The advance notice allows the COTP to have (and view) a record of these ships and board those that are repeat violators of Coast Guard regulations.

The waiver information is reported whenever a vessel requests a waiver. Requests are evaluated on a case-by-case basis. Without this information, the COTP cannot grant or deny a waiver.

7. Special circumstances that require collection to be conducted in an inconsistent manner.

Not applicable.

8. Consultation.

On February 28, 2003, the Coast Guard published a Final Rule entitled "Notification of Arrival in U.S. Ports" [USCG-2002-11865; 68 FR 9537] that completely revised the regulations in 33 CFR 160 Subpart C.

On May 22, 2003, the Coast Guard published a Final Rule [USCG-2002-11865; 68 FR 27907] suspending the requirement for the submission of Customs Form 1302 (under OMB No. 1515-0078) to the USCS 96-hours in advance by electronic means. The submission requirement is suspended pending new Bureau of Customs and Border Protection (CBP) regulations.

On July 1, 2003, the Coast Guard published a Temporary Interim Rule entitled "Vessel Security" [USCG-2003-14749; 68 FR 39292] that required the addition of International Ship and Port Facility Security (ISPS) Code-related information to the Notice of Arrival (NOA) list of required information. No ISPS-NOA-related comments were received. The "Vessel Security" Final Rule was published on October 22, 2003 (68 FR 60483).

In the near future, the Coast Guard will issue a Temporary Final Rule entitled "Notification of Arrivals in U.S. Ports; Certain Dangerous Cargos; Electronic Submission" [USCG-2003-16688] that will add ammonia nitrate and propylene oxide to the list of Certain Dangerous Cargo (CDC), which will increase the number of NOA submissions.

9. Provide any payment or gift to respondents.

No payments or gifts to respondents.

10. Assurances of confidentiality provided to respondents.

No particular assurance of confidentiality is provided to respondents.

11. Additional justification for any questions of a sensitive nature.

Not applicable; there are no questions of a sensitive nature involved.

12. Estimates of information collection burden.

Total number of annual respondents:	10,478 = [10,367 + 111]
Total number of annual responses:	70,577 = [68,139 + 150 + 2,288]
Total annual burden hours:	175,525 = [173,754 + 150 + 1,621]

a. Notice of Arrival

According to MSIS records, approximately 10,367 vessels, meeting the size and type limitations for advance notice and arrival, will enter U.S. ports each year (see Table 2 for details). These vessels would provide 68,139 notices of arrival.

The change in definition of CDC to include ammonia nitrate and propylene oxide will increase the submission of NOA reports. The increase in NOA submission is based on an estimate from 2000 data extracted from MSIS database that only transports CDC materials. Accordingly, the increase in NOA submission due to change in CDC definition to include ammonia nitrate and propylene oxide calculates to 2,288 port calls and 111 vessels.

Table 2.
Number of Vessels and Arrivals

	1998	1999	2000	Annual Average
Non-AMVER/Non-Great Lakes				
Vessels	9,795	9,538		9,667
U.S. Port Calls	63,090	63,482		63,286
AMVER				
Vessels	625	609		617
U.S. Port Calls	4,027	4,052		4,040
Great Lakes				
Vessels	83	82		83
U.S. Port Calls	840	786		813
Change in CDC rule				
Vessels			111	111
U.S. Port Calls			2,288	2,288
Totals				
Vessels	10,503	10,229		10,367
U.S. Port Calls	67,957	68,320		68,139
Totals after CDC rule change				
Vessels			111	10,478
U.S. Port Calls			2,288	70,427

The time needed to report a vessel arrival is estimated in Table 3.

Table 3.
Estimate of Time Needed for Elements
of Vessel Notice of Arrival

Elements	Burden
Vessel Information	5 min.
Voyage Information	15 min.
Cargo Information	5 min.
Information for each Crewmember Onboard	60 min.
Information for each Person Onboard in Addition to Crew	60 min.
Operational condition	2 min.
International Safety Management (ISM) Code Notice	3 min.
Cargo Declaration	*0 min.
International Ship Security Code (ISSC) Notice	3 min.
Total	153 min.

* Cargo Declaration requirement suspended (previous est. 3 min.).

At 153 minutes (2.55 hrs.) per notice and 68,139 responses per year, the burden is 173,754 hours. At \$31.00 per hour¹ for clerical time, the cost of this requirement to persons in charge of the vessels is \$5,386,374 per year.

The temporary change in definition of CDC to include ammonia nitrate and propylene oxide will have an annual burden cost of \$50,248. At \$31.00 per hour for clerical time, there are approximately 1,144 responses at 10 minutes (0.167 hrs.) per notice and 1,144 responses at 75 minutes (1.25 hrs.) per notice. The total increase in annual burden hours is 1,621 hours.

b. Waivers

Previous experience indicates that the Coast Guard receives approximately 150 waiver requests annually. We assume each waiver request takes approximately 30 minutes of management time to develop and 30 minutes of clerical time to type for a burden of 1 hour per request. Using 1 hour per request, the total burden is 150 hours per year. At \$50.00 per hour² for management time and \$31.00 per hour³ for clerical time, the cost for waiver requests is \$6,075 as shown in Table 4.

¹ Assuming that a person with an equivalent hourly rate as an O-1 for out of government, then the rate is \$31.00 according to Enclosure (2) to COMDTINST 73101.1F

² Assuming that a person with an equivalent hourly rate as an O-3 for out of government, then the rate is \$50.00 according to Enclosure (2) to COMDTINST 73101.1F.

³ Assuming that a person with an equivalent hourly rate as an O-1 for out of government, then the rate is \$31.00 according to Enclosure (2) to COMDTINST 73101.1F.

Table 4.
Hour and Cost Burden of all 150 Waivers

	Hour Burden (0.5hrs/waiver)	Cost Burden
Clerical (\$31/hr)	75	\$ 2,325
Management (\$50/hr)	75	\$ 3,750
Total	150	\$ 6,075

13. Estimate of annual cost to the respondent (capital and start-up).

Not applicable.

14. Estimates of annualized cost to the Federal Government.

a. Notice of Arrival

Coast Guard operates the National Vessel Movement Center in Kearneysville, WV, to receive Notices of Arrival. The cost to the Federal Government for processing arrival notices is approximately \$3 million per year.

b. Waivers

Each waiver request submission requires approximately 30 minutes (.5 hrs.) for a commissioned officer to review. At 30 minutes per request and 150 waiver requests per year the total burden is 75 hours per year. At \$43.00 per hour for an O-3 officer time⁴, the annual cost to the Federal Government for waiver requests is \$3,225.

15. Reasons for change in the burden.

The change in burden is a PROGRAM CHANGE that results in an increase in number of submissions of NOAs. The increase in submission is from adding ammonia nitrate and propylene oxide to the list of CDC.

16. Plans for tabulation, statistical analysis, and publication.

There are no current plans to use the information for statistical purposes.

17. Approval for not explaining the expiration date for OMB approval.

Not applicable.

18. Exception to the certification statement.

Not applicable.

B. Collection of Information Employing Statistical Methods.

Not applicable.

⁴ Assuming that a person with an equivalent hourly rate as an O-3 for in government, then the rate is \$43.00 according to Enclosure (2) to COMDTINST 73101.1F.